

IN THE UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

HENRY CLAY SMITH,

Plaintiff,

vs.

DONALD MCMILLIAN,

Defendant.

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CIVIL ACTION: 24-00421-JB-MU

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and a *de novo* determination of those portions of the Recommendation to which objection is made, the Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) is **ADOPTED** as the opinion of this Court. It is **ORDERED** that Plaintiff's Complaint be and is hereby **DISMISSED without prejudice**.

**DONE and ORDERED** this 6th day of January, 2025.

/s/ JEFFREY U. BEAVERSTOCK  
CHIEF UNITED STATES DISTRICT JUDGE